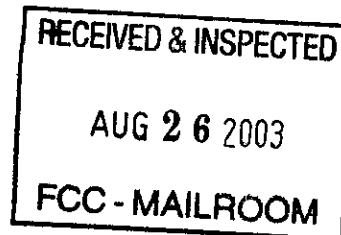


FLOYD COUNTY BOARD OF EDUCATION
OFFICE OF THE SUPERINTENDENT
106 North Front Avenue
Prestonsburg, Kentucky 41653
Telephone (606) 886-2354 Fax (606) 886-8862

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Jeff Stumbo, Vice Chair (District 3)
E. Martin "Mickey" McGuire, Member (District 1)
Dr. Chandra Varia, Member (District 2)
Glenna Slone, Member (District 5)

Federal Communications Commission
Office of the Secretary
445-12th Street, SW
Washington, DC 20554



CC Docket No. 02-6
RE: REQUEST FOR REVIEW OF SLD DECISION

Billed Entity Number: 128928
Applicant Form Identifier: FCS-2003-YR6I
Form 471 Application Number: 359695
Contact Person: Debbie Dixon
106 North Front Ave
Prestonsburg, KY 41653
606-886-4509

Floyd County Schools requests a review of SLD Decision based on the following reasons:

1. Application was filed online on February 5, 2003.
2. Attachment forms were filed on February 6, 2003.
3. Certification Signature page was signed and dated on February 5, 2003
4. Certification Signature page was originally postmarked February 5, 2003

Please find attachments to include documentation of why original postmark of envelope was changed

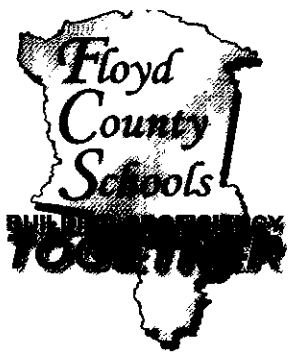
We appreciate your consideration in this matter and hope that you certify our application within filing window.

Thank you,

Debbie Dixon, DTC
Floyd County Schools
106 North Front Ave
Prestonsburg, Ky 41653

Matt Wireman, CIO
Floyd County Schools
106 North Front Ave.
Prestonsburg, Ky 41653

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To Whom It May Concern

The Floyd County School District has participated with the SLD and the Universal Service Fund program successfully for the past six years. Each year we have adapted to changes and filed within the closing window with time to spare. This year our Year 6 USF 471 application filing was filed near the end of the filing window due to discussion between the Kentucky Department of Education, the SLD, and FCC regarding the state master contracts that resulted in the delay of 471 filing information, (January 28, 2003 deadline for all information to be given to SLD from KDE).

Our 471 application #359695 was completed and filed online on February 5, 2003. The Certification Signature page was signed and dated by our superintendent on February 5, 2003. As I left his office, I immediately had his secretary to give me a certified mail ticket and a return receipt card for mailing. I then, using her typewriter, addressed the envelope and completed the certified mail procedure. I had her witness that I had completed this properly and went to place the envelope in the mail. I then proceeded to the postal meter area and handed the envelope to our Mail Clerk and told her it had to be posted that day.

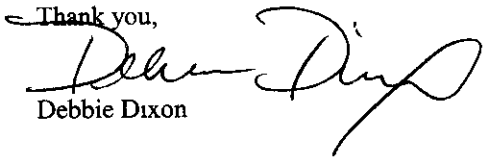
On April 17, 2003 I received the USAC Form 471 certification postmarked out of window notification. I began to investigate what had happened for the postmark to be February 7, 2003. It appears that Wednesday's (February 5, 2003) mail was postmarked by our postal meter but was held and went out with Friday's February 7th, 2003 mail. Because the postal service noticed that the certified envelope had been metered with a date that was post-dated, a postmark of February 7, 2003 was placed over top of original February 5, 2003 postmark. If you examine the photocopy of the envelope that the SLD faxed to me, you can see the outline of the label. I then called Ms. Debbie Wilburn, the SLD supervisor that assigned my case number, and asked her to obtain the original envelope and lift off the label to reveal the February 5, 2003 postmark. She agreed to do that and call me back. She was unable to find our envelope. I submit that the original postmark was actually dated February 5, 2003 and was covered up by a label showing the February 7, 2003 postmark.

Floyd County Schools has for the past five years filed for and received discount services that have provided over 6500 students and 1500 employees with connectivity and communication to the world outside of our impoverished rural area. We maintain a district wide discount matrix of 87% and 12 of our 18 schools maintain 90%. Floyd County also has 16 schools listed as in the highest numbers of poverty percentage. We are dependant upon these discounted services to continue to provide the necessary telecommunication tools and their essential connectivity components to the students of Floyd County.

We ask that you not punish the students of Floyd County and grant our request for a waiver of deadline by one day.

- 1 The 471 application was filed before the filing window closed
2. The Signature page was signed and dated before the filing window closed
3. The envelope containing the Signature page was originally postmarked before the filing window closed

Thank you,


Debbie Dixon

Dixon, Debbie - DTC

From: E-Rate, SLC [slc.e-rate@pearson.com]
Sent: Monday, April 28, 2003 3:40 PM
To: 'Dixon, Debbie - DTC'
Subject: RE: Case 203492

Debbie,

Your Form 471 359695 has successfully submitted online on 02/05/2003.

I was not able to retrieve the original envelope as I had previously promised. Evidently we do not keep the envelope after it has been imaged.

Thanks,
Debbie Wilburn

-----Original Message-----

From: Dixon, Debbie - DTC [mailto:ddixon@floyd.k12.ky.us]
Sent: Monday, April 28, 2003 2:31 PM
To: 'E-Rate, SLC'
Subject: RE: Case 203492

Can you send me the same for my other application #359695 please?

-----Original Message-----

From: E-Rate, SLC [mailto:slc.e-rate@pearson.com]
Sent: Wednesday, April 23, 2003 2:31 PM
To: 'ddixon@floyd.k12.ky.us'
Subject: Case 203492

Debbie,

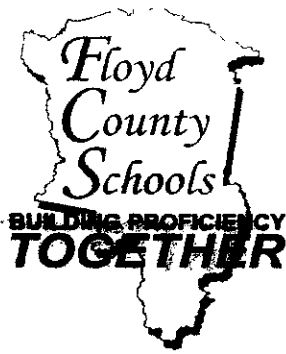
Your Form 471 336264 has successfully submitted online on 02/05/2003.

I was not able to retrieve the original envelope as I had previously promised. Evidently we do not keep the envelope after it has been imaged.

Thanks,
Debbie Wilburn

This email may contain confidential material.
If you were not an intended recipient,
Please notify the sender and delete all copies.
We may monitor email to and from our network.

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E. Martin "Mickey" McGuire, Member (District 1)
Dr. Chandra Varia, Member (District 2)
Glenna Slone, Member (District 5)

April 24, 2003

To Whom It May Concern:

On February 5, 2003, Debbie Dixon came into Dr Paul W Fanning's office to get his signature on a grant she needed to send out that day. After getting Dr. Fanning's signature, she came out to my office and asked for a certified mail ticket and a return receipt green card to mail the document. She used my typewriter to address the envelope and then asked me to witness that she had completed the envelope and certified ticket correctly. She then left saying "I am going to put this in the mail right now".

Linda Wallen-Prater, Administrative Secretary